

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY,)	CIV. NO. 07-00172 JMS/LEK
)	
Plaintiff,)	ORDER GRANTING DEFENDANTS'
)	MOTION FOR REASSIGNMENT OF
vs.)	CASE
)	
DEUTSCHE BANK TRUST)	
COMPANY AMERICAS (FKA)	
BANKERS TRUST COMPANY))	
AND JP MORGAN CHASE BANK)	
IN THEIR SEPARATE CAPACITIES)	
AND AS AGENTS FOR THE PRE)	
AND POST-PETITION LENDERS)	
OF FLEMING COMPANIES, INC.;)	
DOES 1 TO 200,)	
)	
Defendants.)	
_____)	

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN - 4 2007
at 4 o'clock and 10 min M
SUE BEITIA, CLERK

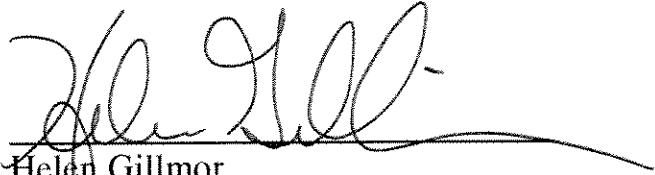
ORDER GRANTING DEFENDANTS' MOTION FOR
REASSIGNMENT OF CASE

Pursuant to Local Rule 40.2 this action involves the "same or substantially identical transactions, happenings, or events, or the same or substantially the same parties or property or subject matter, or substantially identical questions of law" as in *Berry v. Hawaiian Express Service, Inc., et al.*, Civ. No. 03-00385 SOM/LEK.

Accordingly, this action is REASSIGNED from the Honorable J. Michael Seabright to the Honorable Susan Oki Mollway. The civil number shall change from Civ. No. 07-00172 JMS/LEK to Civ. No. 07-000172 SOM/LEK.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, June 4, 2007.



Helen Gillmor
Chief United States District Judge

Berry v. Hawaiian Express Service, Inc., et al., Civ. No. 07-00172 JMS/LEK; Order Granting Defendants' Motion for Reassignment of Case